United Nations S/PRST/2004/31

Security Council

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Statement by the President of the Security Council

At the 5026th meeting of the Security Council, held on 1 September 2004, in connection with the Council's consideration of the item entitled "Threats to international peace and security caused by terrorist acts", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council condemns in the strongest terms the heinous terrorist act involving the taking of hostages at a secondary school in the town of Beslan, the Russian Federation, on 1 September 2004, as well as other terrorist attacks committed recently against innocent civilians in Moscow and on two Russian airliners, in which many lives were claimed and people injured.

"The Security Council demands the immediate and unconditional release of all hostages of the terrorist attack.

"The Security Council expresses the deepest sympathy and condolences to the people and the Government of the Russian Federation and to the victims of the terrorist acts and their families.

"The Security Council urges all States, in accordance with their obligations under resolution 1373 (2001), to cooperate actively with the Russian authorities in their efforts to find and bring to justice the perpetrators, organizers and sponsors of these terrorist acts.

"The Security Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, whenever and by whomsoever committed.

"The Security Council expresses its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations."

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Statement by the President of the Security Council

At the 5030th meeting of the Security Council, held on 10 September 2004, in connection with the Council's consideration of the item entitled "The question concerning Haiti", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council extends its appreciation to participating countries of the United Nations Stabilization Mission in Haiti (MINUSTAH), and hopes that those countries that have pledged to contribute troops and civilian police will do their utmost to expedite the early deployment of their personnel.

"The Security Council notes that, while the overall situation in Haiti has improved since last February, challenges by illegal armed groups to the authority of the Transitional Government are undermining stability and security in some parts of the country.

"The Security Council condemns attempts by some illegal armed groups to perform unauthorized law enforcement functions in some Haitian cities. The Council underscores the need for the Transitional Government to extend its control and authority throughout the country. It stresses the need that MINUSTAH actively assist the Transitional Government's security institutions in addressing the activities of all illegal armed groups in accordance with the mandate provided in resolution 1542 (2004).

"The Security Council stresses the urgency of disbanding and disarming all illegal armed groups. It calls upon the Transitional Government to complete without delay the establishment of the required structures and the adoption of the required legal framework for the implementation of a national disarmament, demobilization and reintegration programme. It notes that MINUSTAH will assist the Transitional Government in these efforts.

"The Security Council underlines that stability and security remain key to the political and economic reconstruction efforts of the Transitional Government and the international community. It stresses the importance of building the capacity of an effective and professional national police in Haiti. It reiterates the importance of effective coordination and cooperation between MINUSTAH and the Haitian National Police. It also underlines the urgency of improving the situation of human rights in the country, including women's rights.

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"The Security Council underlines that only a comprehensive and inclusive dialogue in Haiti can lay down the foundations of a peaceful and democratic political environment. It calls upon all Haitian political actors to participate in the national dialogue, as well as in the transition and in the electoral process to occur in 2005.

"The Security Council welcomes that the Provisional Electoral Council (CEP) has marked the start of the electoral process in Haiti by holding a broad dialogue on the preparation of elections. The Council encourages the United Nations and the Organization of American States to finalize a Memorandum of Understanding outlining election responsibilities of each organization as soon as possible.

"The Security Council reiterates that an end to impunity is key to national reconciliation in Haiti. The Council stresses that justice should apply equally to all citizens in that country and be carried out by an independent judicial system with the support of a reformed correctional system. The Council expresses its strong concern at reports of double standards in the administration of justice. The Council welcomes the intention expressed by the Transitional Government to cease travel restrictions without judicial justification in place against former civil servants and politicians. It urges the Transitional Government to end such restrictions without delay.

"The Security Council welcomes the results of the donors' conference held in Washington, D.C. on 19 and 20 July and urges for a timely disbursement of the funds pledged. The Council looks forward to the follow-up implementation meeting to be held in Port-au-Prince from 22 to 23 September, taking into account the priorities identified by the Haitian Government's Interim Cooperation Framework.

"The Security Council reiterates its support for the establishment of a Core Group to maintain the mobilization of the international community, to increase the consultation among major stakeholders to enhance the coordination and effectiveness of the assistance for Haiti, and to contribute to the definition of a long-term development strategy aimed at the promotion of lasting peace and stability in that country.

"The Security Council welcomes the appointment of Mr. Juan Gabriel Valdés as Special Representative of the Secretary-General and Head of MINUSTAH and commits its full support to his work."

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Statement by the President of the Security Council

At the 5041st meeting of the Security Council, held on 22 September 2004, in connection with the Council's consideration of the item entitled "Civilian aspects of conflict management and peace building", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council met at ministerial level on 22 September 2004 to consider 'Civilian Aspects of Conflict Management and Peace Building'. Ministers recognized the increasing importance of civilian aspects of conflict management in addressing complex crisis situations and in preventing the recurrence of conflict. They affirmed the importance of conflict resolution in accordance with the relevant provisions of the United Nations Charter.

"Ministers also acknowledged the importance of civilian-military cooperation in crisis management. Military and police components are essential to address and stabilize certain serious crisis situations and to guarantee security. Moreover, the participation of a strong civilian component is key to the provision of humanitarian assistance, the re-establishment of public order, functioning public institutions, reconstruction, rehabilitation and peace building for longer-term sustainable development. A substantial civilian participation in crisis management is also essential for a strategy of military disengagement and plays a crucial role in the phase of post-conflict peace building. In this context, it is important that there is coordination between the civilian and military components in crisis management from the first phase of integrated mission planning. In addition, there should be significant coordination with actors involved in longer-term reconstruction and development, including in particular the other organs of the United Nations system in accordance with their respective mandates and the international financial institutions, as well as cooperation with the business sector.

"Ministers recognized the increasing role of some regional and sub-regional and other international organizations in crisis management. They also recalled that articles 52 and 53 of the United Nations Charter set forth the contribution of regional organizations to conflict management, as well as the relationship between the United Nations and regional organizations. They encouraged these organizations, whenever possible, to continue to develop their crisis management capabilities, including in the civilian field, in close coordination with the United Nations and in accordance with the provisions of article 54 of the United Nations Charter. When applicable, clear schemes for

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joint operations should be developed. Also, greater coordination and interoperability among those organizations, as well as developing and sharing common strategies, operational policies and best practices in civilian crisis management would enhance efficiency and coherence in crisis management. Continued internal coordination in this field among all relevant United Nations organs and agencies should also be strengthened.

"Ministers supported the efforts by Member States to continue to develop, as appropriate, their own civilian crisis management capabilities, including, inter alia, rapid civilian response teams, and they also supported their initiatives to make these capabilities available to the United Nations and other relevant regional or sub-regional organizations, as a contribution to their efforts in the maintenance of international peace and security. Adequate capabilities should be developed in key areas of civilian crisis management, such as police, justice and the rule of law, preparation of electoral processes and electoral observation, civil protection and public administration. The Security Council should consider the nature and availability of these capabilities when approving the necessary mandates for United Nations operations.

"Adequate and flexible means for transitional peace support and crisis management activities, such as protection of civilians, including United Nations and humanitarian personnel, disarmament, demobilization and reintegration of former combatants, the end of impunity, public institution-building and transitional justice, as well as the promotion and protection of human rights and the integration of a gender perspective are essential to ensure lasting peace after a conflict. Also, the involvement of local actors in the policy-making process and a fruitful relationship with civil society should be among the priorities of any post-conflict strategy.

"The Security Council commends the efforts of the Secretary-General in addressing all relevant issues relating to the civilian aspects of crisis management and invites him, other institutions and agencies of the United Nations system, regional and sub-regional organizations and Member States to continue to give serious consideration to this matter, with a view to making further progress in this field."

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Statement by the President of the Security Council

At the 5052nd meeting of the Security Council, held on 6 October 2004, in connection with the Council's consideration of the items entitled "Justice and the Rule of Law: the United Nations Role", and "Post-conflict national reconciliation: role of the United Nations", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council thanks the Secretary General for his report dated 3 August 2004, which reissued on 23 August 2004 (S/2004/616), and reaffirms the vital importance that the Council attaches to promoting justice and the rule of law, and post-conflict national reconciliation. The Council will consider, as appropriate in its deliberations, the recommendations set out in paragraph 64 of the report.

"The Security Council urges the Secretariat of the United Nations to make proposals for implementation of the recommendations set out in paragraph 65 of the report, and draws attention in particular to the importance of the practical measures set out in that paragraph that can be implemented rapidly, including coordination of existing expertise and resources, setting up data bases and web based resources and developing rosters of experts, workshops and training. The Council urges Member States which are interested in doing so to contribute national expertise and materials to these developments within their means, and to improve their capacities in these areas.

"The Security Council recalls the important statement made by the Secretary General to the 59th session of the United Nations General Assembly on 21 September 2004 and endorses his view that 'It is by reintroducing the rule of law and confidence in its impartial application that we can hope to resuscitate societies shattered by conflict'. The Council stresses the importance and urgency of the restoration of justice and the rule of law in post-conflict societies, not only to come to terms with past abuses, but also to promote national reconciliation and to help prevent a return to conflict in the future. The Council emphasizes that such processes must be inclusive, gender-sensitive and open to the full participation of women.

"The Security Council underlines the importance of assessing the particular justice and rule of law needs in each host country, taking into consideration the nature of the country's legal system, traditions and institutions, and of avoiding a 'one size fits all' approach. The Council

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recognizes that building national capacities and independent national institutions is essential, that local ownership and leadership in that process should be encouraged and respected, and that international structures can play a complementary and supportive role.

"The Security Council emphasizes that ending the climate of impunity is essential in a conflict and post-conflict society's efforts to come to terms with past abuses, and in preventing future abuses. The Council draws attention to the full range of transitional justice mechanisms that should be considered, including national, international and 'mixed' criminal tribunals, truth and reconciliation commissions, and underlines that those mechanisms should concentrate not only on individual responsibility for serious crimes, but also on the need to seek peace, truth and national reconciliation. The Council welcomes the report's balanced appraisal of the lessons to be learned from the experience of the ad hoc international criminal tribunals and 'mixed' tribunals.

"The Security Council recalls that justice and rule of law at the international level are of key importance for promoting and maintaining peace, stability and development in the world. The Council underlines also the importance of helping to prevent future conflicts through addressing their root causes in a legitimate and fair manner.

"The Security Council warmly welcomes the Secretary General's decision to make the United Nations work to strengthen the rule of law and transitional justice in conflict and post-conflict societies a priority for the remainder of his tenure. The Council invites the Secretary General to keep it informed on the Secretariat's progress in taking forward the recommendations set out in paragraph 65 of the report and expresses the intention to consider this matter again within 6 months."